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May 2, 2022

VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: Request of Clifton Power Company on the Public Service Commission's
Jurisdiction of Electric Vehicle Charging Stations
Docket No. 2021-210-E

Dear Ms. Boyd:

Clifton Power Company ("Clifton") filed its Request initiating this docket on June 22, 2021. The Office of Regulatory Staff ("ORS") is a party pursuant to S.C. Code Ann. § 58-27-70. On March 31, 2022, the Public Service Commission Clerk's Office entered the Notice of Prefiled Deadlines ("Notice") in this docket. On April 5, 6, 19, and 25, ORS communicated with Mr. Mierek regarding Clifton's Request in an effort to provide assistance and clarification. Specifically, ORS staff referred Mr. Mierek to Section 58-27-265, entitled "Identification of regulatory challenges and opportunities associated with electrification of transportation sector," and Section 58-27-1060, entitled "Electric vehicle charging stations," which provides:

SECTION 58-27-1060. Electric vehicle charging stations.

(A) A person or corporation who uses an electric vehicle charging station to resell electricity to the public for compensation is not an electric utility if:

(1) the person or corporation has procured the electricity from an electrical utility, municipality, consolidated political subdivision, the Public Service Authority, or an electric cooperative that is authorized to engage in the retail sale of electricity within the territory in which the electric vehicle charging service is provided;

(2) the person or corporation furnishes electricity exclusively for the charging of plug-in electric vehicles; and

(3) the charging station is immobile.

(B) Nothing in this section shall be construed to limit the ability of an electrical utility, municipality, consolidated political subdivision, the Public Service

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Authority, or an electric cooperative to use electric vehicle charging stations to furnish electricity for charging electric vehicles. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.

ORS submits this letter to advise the Commission of the scope of ORS's participation in this docket and to respectfully request that the Notice be revised to remove the requirement of a motion for permission to file surrebuttal testimony.

ORS intends to limit its participation in this docket to address the application of the plain language of S.C. Code § 58-27-1060 to the legal interpretation questions raised in Clifton's Request. ORS does not intend to submit prefiled direct testimony. ORS would respectfully reserve its right to respond to the prefiled testimony that may be submitted by other parties should other information not available at the time of this letter become available.

Additionally, S.C. Code Ann. § 58-27-265 provides in part that "[n]o earlier than April 1, 2023, the Public Service Commission shall open a docket for the purpose of identifying the regulatory challenges and opportunities associated with the electrification of the transportation sector." In the event any issues are raised in this docket that fall within the scope of Section 58-27-265, ORS respectfully submits that consideration of such issues should be deferred to the docket contemplated by Section 58-27-265.

Finally, ORS respectfully requests the Clerk's Office to issue a revised Notice in this docket to remove the requirement that a party seeking to file surrebuttal testimony first file a motion. The Notice requires that "[a]ny Party seeking to file Surrebuttal Testimony must first file a Motion to Pre-File Surrebuttal Testimony with the Commission" in light of the Commission's Directive dated January 27, 2022 in Docket No. 2021-291-A. The Commission's Directive dated March 31, 2022 in Docket No. 2021-291-A subsequently "remove[d] the requirement for the filing of a Motion [to Pre-File Surrebuttal Testimony]." In light of the Commission's March 31, 2022 Directive, ORS respectfully requests that the Clerks' Office issue a revised Notice to not require a party seeking to file surrebuttal testimony to first file a motion

Thank you for your attention and consideration in this matter.

Sincerely,

/s/ Alexander W. Knowles

Alexander W. Knowles

cc: All Parties of Record
Sharon P. Besley, Esquire
C. Jo Anne Wessinger-Hill, Esquire
David Butler, Esquire
(all via electronic mail)